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On 14 AUGUST 2003
TOWNSEND and TOWNSEND and CREW LLP
By: Nancy Pizzo
NANCY PIZZO

PATENT

Customer No.: 20350

Atty. Docket No.: 018468-000130US

RECEIVED
AUG 20 2003
TECHNOLOGY CENTER R3700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JOYE, JAMES ET AL.

Application No.: 09/978,253

Filed: October 15, 2001

For: Apparatus And Method For Cryogenic
Inhibition Of Hyperplasia

Confirmation No.:

Examiner: KEARNEY, R.

T.C./Art Unit: 3739

RESPONSE TO A RESTRICTION
REQUIREMENT

Commissioner for Patents
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Sir:

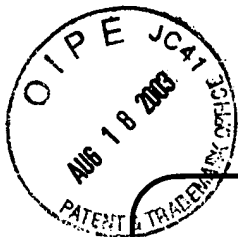
In response to the Restriction Requirement mailed July 17, 2003, Applicants elect to prosecute Group II (claims 15-22), drawn to a method for treating a blood vessel, without traverse.

Regarding the election of Species, Applicants elect claims 15 and 18-22, drawn to Species IV of Figs. 9-11. Applicants respectfully submit that claims 15 and 20-22 are generic. Applicants elect the claims of Species IV without traverse.

Respectfully submitted,

Mark D. Barrish
Reg. No. 36,443

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 650-326-2400 / Fax: 415-576-0300
MDB:nap
60012640 v1



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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/978,253	
Filing Date	10/15/2001	
First Named Inventor	Joye, James	
Art Unit	3739	
Examiner Name	KEARNEY, R.	
Total Number of Pages in This Submission	Attorney Docket Number	018468-000130US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	> Response to Restriction Requirement
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	> Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

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TECHNOLOGY CENTER R3700**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP	Reg. No. 36,443
Signature		
Date	08/14/03	

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Nancy Pizzo		
Signature		Date	08/14/03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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